

REMARKS/ARGUMENTS

In light of the above amendments and remarks to follow, entry of this amendment and reconsideration and allowance of this application are respectfully requested.

Claims 13-16 are pending in this application.

Claims 13-16 were rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter. The Examiner contends the claims are not directed towards a final result that is useful, tangible, and concrete. Applicants believe the Examiner has misinterpreted the claims and that this rejection is incorrect. For example, the present claims recite "generating a recommendation content list." Applicants believe this generating step certainly produces a tangible result (i.e. a recommendation content list). Moreover, the Examiner contends the claimed "excepting the content of the user's favorite content list" is a condition on the transmitting step. (Office Action page 3) However, the term "excepting" simply means "not including" and is not a condition to the generation of the recommendation content list. Regardless, Applicants have amended the claims to clarify the claim language to this effect. Accordingly, for at least these reasons, Applicants believe this rejection is incorrect and should be withdrawn.

Claims 13-16 were rejected under 35 U.S.C. § 102(e) as being anticipated by Smith et al. (Published U.S. Patent Application 2002/0010625)

As in the previous office action, Applicants are unable to decipher the prior art citations provided by the Examiner. For example, the Examiner references Detailed Description Text(36). Does this refer to Smith's paragraph

[0036] or database 36 of HTML content shown in Figure 1? Neither would seem to apply to the referenced claim limitations. Applicants respectfully request the Examiner clarify the rejection so that Applicants can provide a meaningful response.

Regardless, the present invention requires "favorite content lists" be sent "from a plurality of user terminal devices" and "a request for a recommendation content list" be sent from the user's terminal device. (Claims 13-16) Smith does not disclose that favorite content lists are sent from different user terminal devices. Further, Smith does not discuss a request for a recommendation content list as recited in the present claims. Rather, Smith is directed to generating a recommendation list based on an user's profile, browsing history, and shopping cart contents. Smith does not receive favorite content lists or require a request before sending recommendations. Moreover, the present invention generates a recommendation content list which does not include [excepts] the content of the user's favorite content list. Smith simply does not address this limitation. Accordingly, for at least these reasons, Smith fails to anticipate the present invention and the new claims should be allowed.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue.

If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that he/she telephone applicant's attorney at (908) 654-5000 in order to overcome any additional objections which he might have.

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095.

Dated: June 20, 2007

Respectfully submitted,

By 

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